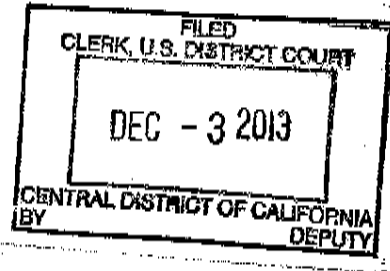


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Facsimile: (650) 265-0223

Attorneys for Defendant
THE MITRE CORPORATION



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

ROSEMARIE BRYANT,
Plaintiff,

vs.

THE MITRE CORPORATION and DOES 1
through 50, inclusive,
Defendants.

Case No. **CV13-8884(CAS (JCGx)**

**DEFENDANT THE MITRE
CORPORATION'S NOTICE OF
REMOVAL**

Complaint Filed: October 23, 2013

DEFENDANT THE MITRE CORPORATION'S NOTICE OF REMOVAL

Defendant The MITRE Corporation ("MITRE"), pursuant to 28 U.S.C. §1441, removes to this Court the state action described below, which is within the original jurisdiction of this Court and properly removed under 28 U.S.C. §§1331 and 1367.

PROCEDURAL HISTORY AND TIMELINESS OF REMOVAL

1. On October 23, 2013, plaintiff Bryant filed an action, entitled *Rosemarie Bryant, Plaintiff, vs. Mitre Corporation, Inc., Defendant*, Case No. BC-524951, against MITRE in the California Superior Court in the County of Los Angeles.

2. On October 24, 2013, MITRE received by mail plaintiff's Complaint and

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Attorneys for Defendant
THE MITRE CORPORATION

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

ROSEMARIE BRYANT,

Plaintiff,

vs.

THE MITRE CORPORATION and DOES 1
through 50, inclusive,

Defendants.

Case No.

**DEFENDANT THE MITRE
CORPORATION'S NOTICE OF
REMOVAL**

Complaint Filed: October 23, 2013

DEFENDANT THE MITRE CORPORATION'S NOTICE OF REMOVAL

Defendant The MITRE Corporation ("MITRE"), pursuant to 28 U.S.C. §1441, removes to this Court the state action described below, which is within the original jurisdiction of this Court and properly removed under 28 U.S.C. §§1331 and 1367.

PROCEDURAL HISTORY AND TIMELINESS OF REMOVAL

1. On October 23, 2013, plaintiff Bryant filed an action, entitled *Rosemarie Bryant, Plaintiff, vs. Mitre Corporation, Inc., Defendant*, Case No. BC-524951, against MITRE in the California Superior Court in the County of Los Angeles.

2. On October 24, 2013, MITRE received by mail plaintiff's Complaint and

1 Summons accompanied by a Notice and Acknowledgement of Receipt. On November 13,
 2 2013, within the statutory time period set forth in California Code of Civil Procedure §
 3 415.30(c), MITRE signed the Notice of Acknowledgement of Receipt and mailed it to
 4 plaintiff. Pursuant to California Code of Civil Procedure § 415.30(c), service of
 5 summons was completed on November 13, 2013, the date MITRE signed the Notice of
 6 Acknowledgment. This Notice of Removal is therefore timely pursuant to 28 U.S.C.
 7 §1446(b).

8 3. Pursuant to 28 U.S.C. §1446(a), true and correct copies of all process,
 9 pleadings, and orders served upon MITRE in the State Court Action are attached to this
 10 Notice as **Exhibit A**. These pleadings include: (a) a Copy of plaintiff's Summons,
 11 Complaint and Notice of Acknowledgement; (b) a Copy of MITRE's signed Notice of
 12 Acknowledgement dated November 13, 2013; and (c) Notice of Case Management
 13 Conference and Order to Show Cause.

14 4. The California Superior Court in the County of Los Angeles is located within
 15 the Central District of California. 28 U.S.C. § 84(c). This Notice of Removal is therefore
 16 properly filed in this Court pursuant to 28 U.S.C. 1441(a).

17 **NO CONSENT FOR REMOVAL NECESSARY**

18 5. Because there are no other defendants in this action, no consent to removal is
 19 necessary.

20 **BASIS FOR REMOVAL**

21 6. **Federal Question Jurisdiction pursuant to 28 U.S.C §1331**. This action is
 22 a civil action of which this court has original jurisdiction under 28 U.S.C §1331, and is
 23 one which may be removed to this Court by MITRE pursuant to the provisions of 28
 24 U.S.C. §1441(a), in that plaintiff alleges claims arising under: (1) The Americans with
 25 Disabilities Act, 42 U.S.C §12111 *et seq.*; (2) Section 504 of the Rehabilitation Act of
 26 1973, 29 U.S.C. §794; and (3) the Family and Medical Leave Act, 29 U.S.C. Sections
 27 2601 *et seq.*

28 7. **Supplemental Jurisdiction pursuant to 28 U.S.C §1367**. Pursuant to 28

1 U.S.C. § 1367(a), this Court has supplemental jurisdiction over plaintiff's remaining state
 2 law claims for relief due to the fact that plaintiff's state law claims are "so related to
 3 claims in the action within such original jurisdiction that they form part of the same case
 4 or controversy under Article III of the United States Constitution." 28 U.S.C. § 1367(a).

5 CONCLUSION

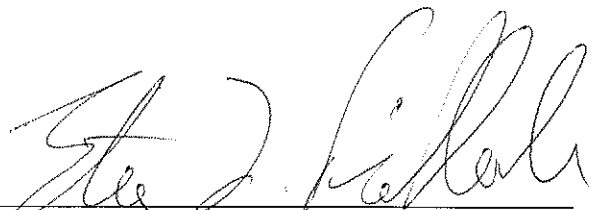
6 8. Pursuant to 28 U.S.C. § 1446(d), copies of this Notice of Removal are being
 7 served upon counsel for plaintiff and filed with the Clerk of the California Superior Court
 8 for the County of Los Angeles, as an exhibit to a Notice to State Court of Removal to
 9 Federal Court. A copy of the Notice being filed in state court is attached hereto (without
 10 exhibits) as **Exhibit B**.

11 9. For all of the reasons state above, this action is within the original
 12 jurisdiction of this Court pursuant to 28 U.S.C. §§ 1331 and 1367. Accordingly, this
 13 action is removable pursuant to 28 U.S.C. § 1441(a).

14
 15 Dated: December 3, 2013

SV EMPLOYMENT LAW FIRM PC

16
 17
 18 By:


 19
 20 Steven L. Friedlander

21 Attorneys for Defendant
 22 THE MITRE CORPORATION
 23
 24
 25
 26
 27
 28

Exhibit A

TO (insert name of party being served): The Mitre Corporation

NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: October 24, 2013

Marc Aaron Goldbach

(TYPE OR PRINT NAME)

Max A. Goldbach

(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

ACKNOWLEDGMENT OF RECEIPT

This acknowledges receipt of *(to be completed by sender before mailing)*:

1. ☒ A copy of the summons and of the complaint.
2. ☒ Other (specify):

(To be completed by recipient):

Date this form is signed: _____

(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)

(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

丁巳 二月廿五日 亥時

2018-1 From: mara.goldsch@goldschlaw.com mara.goldsch@goldschlaw.com

船舶证书

2. This case is ☒ a ☐ is not a complex case under rule 4-609 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. ☐ Large number of separately submitted parties a. ☐ Large number of witnesses

b. ☐ Extensive motion practice (pending, filed or active) a. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court

c. ☐ Issues that will be time consuming to resolve f. ☐ Substantial postjudgment judicial supervision

d. ☐ Substantial amount of documentary evidence

3. Remedies sought (check all that apply): a. ☒ Monetary b. ☒ Nonmonetary, declaratory or injunctive relief c. ☒ Punitive

4. Number of causes of action (specify): Four (4)

5. This case ☒ is ☐ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may file form CM-001.)

Date: 09/27/2011
Marc A. Goldbach, Marc A. Goldbach

NOTICE

1. **High filer must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court rule 3.220.) Failure to file may result in sanctions.**

2. **File this cover sheet in addition to any cover sheet required by local court rule.**

3. **If this case is complex under rule 3.400 of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.**

4. **Unless this is a collection case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.**

CIVIL CASE COVER SHEET

Please Print or Type legibly
 2000 National Center for Case Study Teaching of Law
 www.nccstl.org Case Number: _____
 Date Filed: _____
 Page _____ of _____

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete Items 1 through 6 on the sheet. In Item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in Item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in Item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)
Auto (22)—Personal Injury/Property Damage/Wrongful Death	Breach of Contract/Warranty (06)	Antitrust/Trade Regulation (03)
Uninsured Motorist (46) <i>(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)</i>	Breach of Rental/Lease	Construction Defect (10)
	Contract <i>(not unlawful detainer or wrongful eviction)</i>	Claims Involving Mass Tort (40)
	Contract/Warranty Breach—Seller	Securities Litigation (28)
	Plaintiff <i>(not fraud or negligence)</i>	Environmental/Toxic Tort (30)
	Negligent Breach of Contract/Warranty	Insurance Coverage Claims <i>(arising from provisionally complex case type listed above)</i> (41)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Other Breach of Contract/Warranty	Enforcement of Judgment
Asbestos (04)	Collections (e.g., money owed, open book accounts) (09)	Enforcement of Judgment (20)
Asbestos Property Damage	Collection Case—Seller Plaintiff	Abstract of Judgment (Out of County)
Asbestos Personal Injury/Wrongful Death	Other Promissory Note/Collections Case	Confession of Judgment <i>(non-domestic relations)</i>
Product Liability <i>(not asbestos or toxic/environmental)</i> (24)	Insurance Coverage <i>(not provisionally complex)</i> (18)	Sister State Judgment
Medical Malpractice (45)	Auto Subrogation	Administrative Agency Award <i>(not unpaid taxes)</i>
Medical Malpractice—Physicians & Surgeons	Other Coverage	Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Professional Health Care Malpractice	Other Contract (37)	Other Enforcement of Judgment Case
Other PI/PD/WD (23)	Contractual Fraud	Miscellaneous Civil Complaint
Premises Liability (e.g., slip and fall)	Other Contract Dispute	RICO (27)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)	Real Property	Other Complaint <i>(not specified above)</i> (42)
Intentional Infliction of Emotional Distress	Eminent Domain/Inverse Condemnation (14)	Declaratory Relief Only
Negligent Infliction of Emotional Distress	Wrongful Eviction (33)	Injunctive Relief Only <i>(non-harassment)</i>
Other PI/PD/WD	Other Real Property (e.g., quiet title) (26)	Mechanics Lien
Non-PI/PD/WD (Other) Tort	Writ of Possession of Real Property	Other Commercial Complaint Case <i>(non-tort/non-complex)</i>
Business Tort/Unfair Business Practice (07)	Mortgage Foreclosure	Other Civil Complaint <i>(non-tort/non-complex)</i>
Civil Rights (e.g., discrimination, false arrest) <i>(not civil harassment)</i> (08)	Quiet Title	Miscellaneous Civil Petition
Defamation (e.g., slander, libel) (13)	Other Real Property <i>(not eminent domain, landlord/tenant, or foreclosure)</i>	Partnership and Corporate Governance (21)
Fraud (16)	Unlawful Detainer	Other Petition <i>(not specified above)</i> (43)
Intellectual Property (19)	Commercial (31)	Civil Harassment
Professional Negligence (25)	Residential (32)	Workplace Violence
Legal Malpractice	Drugs (38) <i>(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)</i>	Elder/Dependent Adult Abuse
Other Professional Malpractice <i>(not medical or legal)</i>	Judicial Review	Election Contest
Other Non-PI/PD/WD Tort (35)	Asset Forfeiture (05)	Petition for Name Change
Employment	Petition Re: Arbitration Award (11)	Petition for Relief From Late Claim
Wrongful Termination (36)	Writ of Mandate (02)	Other Civil Petition
Other Employment (15)	Writ—Administrative Mandamus	
	Writ—Mandamus on Limited Court Case Matter	
	Writ—Other Limited Court Case Review	
	Other Judicial Review (39)	
	Review of Health Officer Order	
	Notice of Appeal—Labor Commissioner Appeals	

BY FAX

SHORT TITLE: Bryant vs. The Mitre Corporation	CASE NUMBER
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**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 10 ☐ HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps -- If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons (See Step 3 Above)
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: Bryant vs. The Mitre Corporation	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Real Property	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
	Unlawful Detainer	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction) <input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction) <input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure <input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6. 2., 6. 2., 6. 2., 6.

SHORT TITLE: Bryant vs. The Mitre Corporation	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above		
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.		
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.		
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.		
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.		
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.		
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.		
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.		
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.		
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.		
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.		
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.		
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.		
	Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.	
		Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.	
		Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE: Bryant vs. The Mitre Corporation	CASE NUMBER
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: 2401 E. El Segundo Blvd.
CITY: El Segundo	STATE: CA	ZIP CODE: 90245

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Los Angeles courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 10/23/13

Mark A. Gochwal
(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

151 FAX

Exhibit A, Page 11

10/24/2013 11:15 2136207104

PAGE 02/05

10:16:37 a.m. 10-22-2013 10

To: Page 10 of 86

2013-1 From: Marc Goldbach <goldbachlaw.com> marc.goldbach@goldbachlaw.com

HUCK
90245
DEPT #50
(Hon. JOHN L. SEGAL)

MARC AARON GOLDBACH (SIN 130318)
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FILED
Los Angeles Superior Court

OCT 23 2013

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Attorneys for Plaintiff ROSEMARIE BRYANT

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

BC 52405

ROSEMARIE BRYANT

Plaintiff

THE MITRE CORPORATION, and DOES 1
THROUGH 50, INCLUSIVE,

Defendants

COMPLAINT OF DISCRIMINATION
UNDER THE PROVISIONS OF THE
CALIFORNIA FAIR EMPLOYMENT
AND HOUSING ACT, CALIFORNIA
GOVERNMENT CODE § 12900 ET SEQ.;
THE AMERICANS WITH DISABILITIES
ACT, 42 U.S.C. § 12111 ET SEQ.; SECTION
504 OF THE REHABILITATION ACT OF
1973, 29 U.S.C. 794; DECLARATORY
RELIEF; RETALIATION; SEX
DISCRIMINATION; VIOLATION OF
LABOR CODE SECTION 1102.1;
VIOLATION OF GOVERNMENT CODE
SECTION 12945.2 ET SEQ. AND
VIOLATION OF 29 U.S.C. SECTIONS
2601-2654 ET SEQ.

BY FAX

CIT. CASE: 2013-0954
LES/DEF#:
RECEIPT #: 004681620005
DATE PAID: 10/24/13 10:02 AM
PAYMENT: \$435.00 310
RECEIVED:
CHECK: \$0.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$435.00

INTRODUCTION

1
2 1. This action under the Fair Employment and Housing Act ("FEHA"), Cal. Gov't
3 Code § 12920 *et seq.*, the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12111 *et seq.*,
4 and Section 504 of the Rehabilitation Act of 1973 ("Rehabilitation Act"), 29 U.S.C. § 794 *et*
5 *seq.*, Labor Code Section 1102.1, Government Code Section 12945.2 *et seq.*, and 29 U.S.C.
6 Sections 2601-2654 *et seq.*, seeks to correct unlawful employment practices committed by The
7 MITRE Corporation ("MITRE") against Plaintiff. This action seeks damages, and equitable and
8 injunctive relief for the named Plaintiff.

9 2. Plaintiff began her employment with MITRE in January, 2005 in Bedford,
10 Massachusetts as an Intelligence, Surveillance, and Reconnaissance Engineer. In 2010, Plaintiff
11 was put on temporary assignment in the El Segundo, California office with the intention of
12 permanently transferring to the El Segundo, California office in 2012. In May of 2012 Plaintiff
13 began experiencing severe medical problems. Plaintiff was approved for a medical leave of
14 absence for her own serious health condition from May 30, 2012 to August 16, 2012. Plaintiff
15 had surgery which resulted in unfortunate infections and health complications. On or around
16 November 16, 2012 Plaintiff's doctor requested reasonable accommodations for Plaintiff to be
17 able to perform the essential functions of her job.

18 3. Plaintiff was harassed, discriminated against, and retaliated against for taking an
19 FMLA leave of absence and having a real and/or perceived medical condition that limits a major
20 life activity. MITRE also failed to reasonably accommodate Plaintiff and failed to engage in the
21 interactive process with Plaintiff. As a result of taking an FMLA leave of absence, requesting
22 reasonable accommodation, and having a real and/or perceived disability, Plaintiff has been
23 denied a permanent transfer to El Segundo and has been denied or taken off multiple projects.
24 The State has regularly failed to provide and has denied reasonable accommodations to its
25 employees who are deaf that are necessary for effective communication.

26 4. MITRE's pattern and practice of refusing to reasonably accommodate its
27 employees on medical leave, with disabilities and other medical conditions, failing to engage in a
28 timely good faith interactive process to determine reasonable accommodations for its employees

1 on medical leave, with disabilities and other medical conditions, and failing to take all reasonable
 2 steps to prevent discrimination, harassment and retaliation from occurring, results in workplace
 3 conditions that cause isolation, exclusion, prejudice, and overall pervasive discrimination. Such
 4 policies, practices and procedures not only violate FEHA, the ADA and the Rehabilitation Act,
 5 but also violate MITRE's own policy of being a model employer of individuals with disabilities.
 6 Cal. Gov. Code § 12803.6(a)(3) *et seq.*

7 JURISDICTION

8 5. Jurisdiction is proper in the Superior Court of California. The FEHA states that
 9 "the superior courts of the State of California shall have jurisdiction of those actions, and the
 10 aggrieved person may file in these courts." Cal. Gov't Code § 12965(b). In addition, the
 11 Superior Court of California has concurrent jurisdiction over Plaintiffs' claims brought under the
 12 Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, as Congress has not
 13 divested state courts of their jurisdiction to hear such claims. *See, e.g.*, 42 U.S.C. § 12202; 42
 14 U.S.C. § 2000e-5(f); 29 U.S.C. § 794a.

15 VENUE

16 6. An action may be brought in any county in the state in which the unlawful practice
 17 is alleged to have been committed, in the county in which the records relevant to the practice are
 18 maintained and administered . . . but if the defendant is not found within any of these counties an
 19 action may be brought within the county of defendant's residence or principal office Cal. Gov't
 20 Code § 12965(b). Plaintiff Rose Marie Bryant has alleged unlawful employment practices that
 21 occurred in Los Angeles County. Defendant maintains offices and operations, and is found
 22 within, this county.

23 PARTIES

24 7. Plaintiff is an employee working for The Mitre Corporation, who is disabled,
 25 suffers from a serious medical condition, and is on medical leave. Plaintiff has been and is being
 26 discriminated against, harassed, and retaliated by Defendants' through the denial of promotion,
 27 denial of transfer, the denial of reasonable accommodations in the workplace in violation of the
 28 FEHA, the ADA, and the Rehabilitation Act. Plaintiff's complaint of discrimination filed with

1 the DFEH is attached as Exhibit A.

2 8. Plaintiff holds an Applied Technologies in Communication degree from the U.S.
3 Air Force, a Masters in Business Administration ("MBA ") from Nichols College, and a Master
4 of Science Engineering Management ("MSEM") from Tufts University.

5 9. Prior to working for MITRE , Plaintiff was an active duty Air Force Intelligence
6 Systems Analyst for five years, where she supported Joint Forces and Air Combat Command
7 ("JFACC ") operations. Plaintiff subsequently worked as an Intelligence Systems Engineer at PE
8 Systems , Inc. at Hanscom Air Force Base in Massachusetts.

9 10. Plaintiff has over thirteen years in Joint Department of Defense ("DoD") and Air
10 Force ("AF") operations, where she specialized in Command, Control, Communications, and
11 Computer Intelligence, Surveillance and Reconnaissance ("C4ISR") development and
12 integration, network design fielding, and Information Assurance ("IA").

13 11. Plaintiff began working for MITRE in January of 2005 at its facilities in
14 Bedford, Massachusetts. She started as an Intelligence, Surveillance, and Reconnaissance
15 engineer ("ISR"). She has had a number of critical roles on high level projects throughout her
16 employment with MITRE. She was the Deputy Lead Engineer for the Pacific Falconer weapons
17 system installation at Hickman Air Force Base, Hawaii and Osan Air Base, Republic of Korea.

18 12. Plaintiff's duties included oversight of a ten million dollar system budget and a
19 team of fifteen (15) engineers including C2ISR systems, communications, networking,
20 information insurance, and configuration management discipline. Plaintiff was one of
21 approximately five individuals who received the prestigious Program Recognition Award for her
22 work on the Falconer project.

23 13. During the first two years of her employment with MITRE, Plaintiff went from an
24 ISR Engineer to an ISR and Network Engineer, and finally to the Deputy Lead of the entire
25 Falconer project. Plaintiff was also the Lead Technical Engineer on the Tiger team effort which
26 involved the Special Operations Command Europe wide area network. Plaintiff received another
27 Program Recognition award for her work on this project.

1 14. In late 2009, Plaintiff was handpicked to be the lead network communications
2 engineer for the next generation Global Positioning System ("GPS") . In December of 2009
3 Plaintiff worked in Southern California on the Transformational Satellite Communications
4 System ("TSAT") project on a temporary basis. From December 2009 to July 2010 Plaintiff
5 resided in a hotel, received per diem, and was reimbursed for her expenses on a monthly basis .

6 15. Commencing in July of 2010 Plaintiff was put on a temporary assignment in El
7 Segundo, California to work on the GPS project which she had been working on since February
8 of 2010. On July 26, 2011 Plaintiff was notified that her "temporary assignment" in El Segundo
9 had been renewed for another twelve months. She was told that these were the first steps in her
10 permanent transfer to California .

11 16. In or around November of 2011 Plaintiff heard that the GPS project was going to
12 have a reduction in headcount from approximately thirty-five to nine employees so she began the
13 process of looking for another position at El Segundo.

14 17. On February 2, 2011, John Derby ("Derby") had offered Plaintiff a lead engineer
15 opportunity (AC4 role) on the Launch Range project. Ms . Bryant declined the invitation so she
16 could continue to work on her responsibilities on the JMS project.

17 18. Although Plaintiff had denied Derby's previous offer to join the Launch Project,
18 on November 9, 2011 she reached out to Richard Stuebe ("Stuebe"), Derby's subordinate, and
19 told him that she was looking for another position in the El Segundo area because she felt she
20 would be losing her position in GPS as a result of a headcount reduction. On November 9, 2011,
21 Mr. Stuebe sent Plaintiff an email stating, "Well, I really want you!" and agreed to put Plaintiff
22 on the Joint Space Operation Center ("JSPOC") Mission System ("JMS") project. Mr. Stuebe
23 also acknowledged in his email that Plaintiff was intending to run out her TDY costs indicating
24 that she planned to stay in El Segundo on a permanent basis .

25 19. Plaintiff began working on the JMS project in January of 2012. She was
26 supervised by Mr. Stuebe. From January through May of 2012 Plaintiff's work on the project
27 was exemplary. In fact, in March of 2012 Plaintiff was nominated by the MSEC to attend the
28 National Space Symposium as MITRE's junior engineer recipient. She was also nominated for a

1 technical award in April of 2012. Plaintiff was specifically told by Dr. Sean McKenna
2 ("McKenna") and Dr. Michael Ryan ("Ryan") that she was a candidate for promotion in April of
3 2012.

4 20. In May of 2012 Plaintiff began experiencing severe medical problems. She was
5 approved for a medical leave of absence for her own serious health condition from May 30, 2012
6 to August 16, 2012.

7 21. Plaintiff had surgery which resulted in unfortunate infections and health
8 complications. On or around November 16, 2012 Ms. Bryant's doctor filled out a form which
9 described her treatment as follows : "To Whom It May Concern: Ms. Bryant underwent surgery
10 on May 30, 2012. Since then Ms. Bryant has been recovering and dealing with reoccurring
11 fissures as well as infections. It is very important that she is able to soak in a sitz bath after every
12 bowel movement to ensure proper healing and decreased reoccurrence of infections. This could
13 range from one- to three times a day and/or 0-24 hours a week with a duration period from
14 September 28, 2012 through December 31, 2012..."

15 22. Plaintiff's decision to go on a medical leave ruined her professional reputation
16 and career at MITRE Corporation. When she attempted to work from home during her leave
17 period to assist with the JMS project, Plaintiff was falsely accused of using her medical
18 condition as an excuse not to get work done. In fact, the situation was so bad that during early
19 July of 2012, Plaintiff was told that she had to return to work before the expiration of her FMLA
20 leave and work eight hours a day.

21 23. Plaintiff has written correspondence and documentation which demonstrates the
22 animus that was created against her because of her disability and medical leave. For instance, on
23 July 12, 2012, Plaintiff had an email exchange with Mr. Stuebe wherein she told him about her
24 employment situation. During the course of this exchange, Mr. Stuebe informed Plaintiff that
25 her medical leave was being rescinded and she was going to have specific restrictions put on her
26 that apparently are not applicable to other employees. Although Mr. Stuebe subsequently
27 rescinded these requirements and told Plaintiff that he could not force her to return while she was
28 on medical leave, this July 12, 2012 correspondence is extremely troubling. Mr. Stuebe

1 references that Plaintiff's decision to take medical leave has created questions about her
2 "commitment" and need to "correct some of the impressions that had formed about her work
3 habits." His acknowledgment that these impressions even existed, whether they are "true or not,"
4 and have to be worked through demonstrates a clear discriminatory intent. An employee's need
5 for medical leave as a result of a disabling condition should not be used by managers as a means
6 to question their work ethic.

7 24. These issues caused Plaintiff extreme emotional turmoil and she reached out to Dr.
8 Michael Ryan, the executive director of MITRE Space Programs. Dr. Ryan provided Plaintiff
9 with a statement dated February 13, 2013 which describes illegal behavior that he has witnessed
10 at the company directed toward Plaintiff.

11 25. For example, Dr. Ryan stated that in early August of 2013 he was having a
12 discussion with Mr. John Woodward of MITRE about Plaintiff being brought on to support the
13 JMS program. Mr. Woodward specifically stated that he would not do so, "based on managers
14 under him advice and his own experience with Plaintiff. Mr. Woodward asked Dr. Ryan if he
15 knew she was a lesbian." Dr. Ryan states he did not know how to respond. Mr. Woodward then
16 went on to state that Plaintiff's lover is Ms. Kelly McSweeney, another MITRE employee, also
17 located at the El Segundo, California site. Mr. Woodward also told Dr. Ryan that the two of
18 them were inseparable while they were working together at the MITRE Bedford, Massachusetts
19 campus.

20 26. Mr. Woodward is the direct supervisor of John Derby who supervised Rich Stuebe.
21 Mr. Woodward's statements demonstrate direct evidence of discrimination against Plaintiff
22 based on her gender and perceived sexual orientation.

23 27. Dr. Ryan also discussed in the February 13 statement a November 12, 2012
24 conversation he had with Mr. Josh Collens, MITRE's Air Force Space Portfolio Director. During
25 their conversation, Mr. Collens was upset at Dr. Ryan for allegedly interfering with Dr. Jim
26 Dimarogonas' supervisor responsibilities over Plaintiff. Dr. Ryan explained that Plaintiff had
27 come to him seeking advice and used him as a mentor. Dr. Ryan stated that he was helping
28 Plaintiff with a relocation request, after a two year temporary assignment to the El Segundo site.

1 Dr. Ryan went on to describe his further conversation with Mr. Collens as follows: "He went on
 2 to say that Dr. Dimarogonas was unhappy with Plaintiff's performance and work habits. I tried
 3 to explain that Ms. Bryant was only allowed to work part- time, if that, because she was on
 4 family and medical leave act ("FMLA") time, what is known at MITRE as "D" time, after a
 5 serious operation. Despite that she was trying to work from home and was coming into work
 6 when she wasn't in too much pain, against her doctors orders. Mr. Collens implied that Ms.
 7 Bryant was using FMLA as an excuse to get out of work and might be in collusion with her
 8 doctor. Mr. Collens went on to say that he wished he had not recommended to Mr. John Wilson
 9 , Ms. Bryant's technical director and to Mr. John Hamalin , Ms. Bryant 's department head, that
 10 they transferred her from division G060 to division EI30 and that he was going to have to call
 11 and apologize to both of them, because according to Dr. Dimarogonas Ms. Bryant wasn 't
 12 working out."

13 28. Dr. Ryan went on in his statements to recite his views on the unlawful harassment
 14 and discriminatory treatment that Plaintiff has been subjected to at the El Segundo site. Dr. Ryan
 15 noted that there has been an impression from the "busy bodies" at MITRE that while Plaintiff
 16 was working from home she was not actually working but taking advantage of the system. Dr.
 17 Ryan's statement is direct evidence of knowledge by managing agents of MITRE that Plaintiff
 18 was being discriminated against at MITRE based on her disability, need for medical leave,
 19 gender, and perceived sexual orientation.

20 29. When Ms. Plaintiff returned to work in late August of 2012 her medical condition
 21 necessitated that she take intermittent leave. In an August 28, 2012 email to MITRE
 22 management, Plaintiff stated that she wanted to "advise you both that my second set of FMLA
 23 paperwork came through and it authorizes me to take up to eight (8) hours per day five (5) days a
 24 week until December 31, 2012 as necessary due to the sensitivity of my condition and the care
 25 required to ensure I care for my wounds and remain healthy. I certainly do not expect to use this
 26 time unless absolutely necessary."

27 30. Plaintiff stated in her August 28, 2012 email that "given recent malicious rumors I
 28

1 am doing my best to maintain transparency." The rumors Plaintiff referenced were the
2 statements made by Mr. Woodward concerning her alleged status as a "lesbian," and the constant
3 complaints about her alleged work ethic resulting from her disability and need for medical leave.

4 31. Plaintiff was released from the JMS project once it was realized her ongoing
5 medical needs required further accommodations consisting of intermittent medical leave. In the
6 fall of 2012, Plaintiff was transferred to the Commercial MILSATCOM project. Plaintiff had to
7 accept this project even though it was not in her area of expertise because no other project was
8 willing to accept her despite her background and extensive expertise.

9 32. During the fall and through January and February of 2013 Plaintiff did
10 everything she could to obtain permanent employment in the El Segundo site and get her
11 relocation package approved. Because of the rumors and disparaging remarks made about her
12 work ethic resulting from her disability, Plaintiff had a difficult time obtaining work at the El
13 Segundo site. Her supervisor told her that her "erratic schedule" and the necessity of "being out
14 of the office so often" had caused managers not to want her on their projects.

15 33. On February 14, 2013, Dr. Dimarogonas sent Plaintiff an email which sums up his
16 Perceptions: "Is this project the best project we have in El Segundo? No. Is it the most
17 efficiently run project? No. Was the direction that Mark gave you clear and unambiguous? No.
18 But it has two things in common with all other project areas in El Segundo, including OPS,
19 MILSATCOM, and SY: 1) you have worked on all of them and 2) at some point the project
20 leader has requested you be removed off the project for all of them. We don't have any other
21 projects in El Segundo, this was a full set. So if we don't resolve this on Tuesday, I will have to
22 take it up to Josh (and potentially get John Wilson involved) and convince him to place you on a
23 project that the project leader has already removed you in the past twelve months. And I will do
24 my best to make it happen, but you can imagine how well that will go with the project leaders.
25 So let's see if we could resolve on Tuesday so we don't have to go there. I think the last
26 document you sent is definitely a step in the right direction."

27 34. Dr. Dimarogonas' statement sums up exactly what happened to Plaintiff. She
28 was a valued and rapidly progressing employee whose work was demanded on multiple projects

1 at the El Segundo site. She became disabled with a horrific ailment which required medical
2 leave for surgery, and intermittent medical leave to enable her to heal from the operation. While
3 on medical leave Plaintiff was referred to as a lesbian by upper management at MITRE, and had
4 her work ethic questioned. Her immediate supervisor told her that this is a problem he had seen
5 in the past and did not know if she could overcome these perceptions even if they were not
6 accurate. When she eventually returned to work, she was accused of using her FMLA leave as
7 an excuse to avoid work.

8 35. The damage that has been done to Plaintiff's reputation at MITRE is irreparable.
9 It has effected virtually every aspect of her job. For example Plaintiff put in substantial amount
10 of time preparing for a presentation at a recent board of trustee meeting. There are four people
11 that were principally responsible for preparing the presentations. Plaintiff was the only one who
12 was not invited to the board of trustees dinner after the meeting. This is just one more aspect of
13 discriminatory treatment.

14 36. Plaintiff has recently been given the label of "in between assignments" which is the
15 methodology that MITRE uses to get rid of its employees. Her salary has been moved to 100%
16 overhead, and managers are not willing to pick her up for their projects because of her false
17 reputation of seeking to avoid work.

18 37. On March 18, 2013, Plaintiff had a meeting with Dr. Dimarogonas, wherein he
19 Told her that he was unable to find coverage for her because she is not dependably in the office
20 all of the time. Specifically, he said, whether true or not, there is a perception that she is out of
21 the office too often and has an erratic schedule, and that as a result of this perception, project
22 leaders feel that they cannot rely on her. Further, Dr. Dimarogonas told Plaintiff that if she
23 cannot find coverage soon, Mr. Hamalainen, her Department Head, will draft a "letter of
24 concern" stating that she cannot find employment because of (1) her time out of the office and
25 erratic medical schedule; and (2) her ability to manage her time for deliverables. Dr.
26 Dimarogonas ended the conversation by telling Plaintiff that she was highly regarded for her
27 level of expertise. Dr. Dimargonoas's compliment to Plaintiff clearly shows that any difficulties
28 in obtaining work is due to Plaintiff's medical leave of absence and subsequent medical problems

1 - this conduct is illegal.

2 38. The March 18, 2013 conversation shows direct discriminatory animus. Dr.
3 Dimarogonas's statement that Plaintiff cannot find coverage because of her time out of the office
4 and "erratic medical schedule" reiterates Mr. Stuebe's July 2012 comments about Plaintiff's
5 medical leave and the impressions that formed about her work habits as a direct result of her
6 medical leave. These illegal comments illustrate the widespread discriminatory intent among
7 MITRE management.

8 39. Defendants continue to maintain a pattern and practice of failing to provide
9 reasonable accommodations to facilitate effective communication between Plaintiff and her co-
10 workers, colleagues, supervisors, and managers.

11
12 **FIRST CAUSE OF ACTION FOR VIOLATION OF THE FAIR**
13 **EMPLOYMENT AND HOUSING ACT, CAL. GOV'T CODE § 12900 ET SEQ.**
14 **BY THE PLAINTIFF AGAINST DEFENDANTS**

15 40. Plaintiffs hereby incorporate by reference each of the preceding allegations as if
16 fully set forth herein.

17 41. California's Fair Employment and Housing Act ("FEHA"), Cal. Gov't Code §
18 12900 *et seq.* (2009), provides that, "The opportunity to seek, obtain, and hold employment
19 without discrimination because of . . . physical disability . . . is hereby recognized as and
20 declared to be a civil right." Cal. Gov't Code § 12921(a).

21 42. The purpose of FEHA is to safeguard the right and opportunity of all persons to
22 seek, obtain, and hold employment without discrimination or abridgment on the account of, *inter*
23 *alia*, disabilities. FEHA recognizes that the practice of denying employment opportunities and
24 discriminating in terms of employment foments domestic strife and unrest, deprives the State of
25 the fullest utilization of its capacities for development and advancement, and substantially and
26 adversely affects the interest of employees, employers, and the public in general. Cal. Gov't
27 Code § 12920.

1 43. Plaintiff is an individual with disabilities within the meaning of FEHA, and is
2 entitled to its guarantees of full and equal access to employment. Cal. Gov't Code § 12926.1.

3 44. FEHA explicitly covers MITRE as an employer. Cal. Gov't Code § 12926(d).
4 Defendant is an "employer" within the meaning of FEHA. Cal. Gov't Code § 12926.2.

5 45. Defendants have and continue to commit an "unlawful employment practice"
6 through the policy, pattern and practice, as alleged herein, of discriminating against Plaintiff in
7 the "terms, conditions, or privileges of employment." Cal. Gov't Code § 12940(a).

8 46. Defendants have and continue to commit an "unlawful employment practice"
9 through the policy, pattern and practice, as alleged herein, of denying reasonable
10 accommodations to its employees who are known to have disabilities and other medical
11 conditions, and who have taken authorized medical leave of absence. Cal. Gov't Code §
12 12940(m).
13

14 47. Defendants have committed an "unlawful employment practice" through the policy,
15 pattern and practice, as alleged herein, of "fail[ing] to engage in a timely, good faith interactive
16 process . . . to determine effective reasonable accommodations . . . in response to a request for
17 reasonable accommodations" by Plaintiff. Cal. Gov't Code § 12940(n).

18 48. Defendants have committed an "unlawful employment practice" through the policy,
19 pattern and practice, as alleged herein, of "fail[ing] to take all reasonable steps necessary to
20 prevent discrimination . . . from occurring." Cal. Gov't Code § 12940(k).

21 49. Because Defendants have violated and continue to violate FEHA, Plaintiff is
22 entitled to injunctive relief, remedying the discrimination. Cal. Gov't Code § 12900 *et seq.*

23 50. The FEHA further provides that in actions brought under its provisions, that "the
24 court, in its discretion, may award to the prevailing party reasonable attorney's fees and costs,
25 including expert witness fees. . .". Cal. Gov't Code § 12965(b).

26 51. WHEREFORE, Plaintiff prays for judgment as set forth below.
27
28

**SECOND CAUSE OF ACTION FOR VIOLATION OF
THE AMERICANS WITH DISABILITIES ACT, 42 U.S.C. § 12111, ET SEQ.
BY THE PLAINTIFF AGAINST ALL DEFENDANTS**

52. Plaintiff hereby incorporates by reference each of the preceding allegations as if fully set forth herein.

53. Plaintiff is a "qualified individual with a disability" within the meaning of 42 U.S.C. § 12111.

54. Defendant is an "employer" within the meaning of 42 U.S.C. § 12111(5)(A).

55. The ADA provides that "[n]o covered entity shall discriminate against a qualified individual with a disability because of the disability of such individuals in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment." 42 U.S.C. § 12112(a). Defendant has violated this obligation through its actions and failure to act for the reasons set forth herein.

56. Defendants have discriminated against Plaintiff because of her disabilities, and continue to discriminate against Plaintiff because of her disabilities, by "limiting, segregating, or classifying . . . employee[s] in a way that adversely affects the opportunities or status of . . . employee[s] because of the disability of such . . . employee[s]." 42 U.S.C. § 12112(b)(1).

57. Defendants have discriminated against Plaintiff because of her disabilities, and continue to discriminate against Plaintiff because of her disabilities, by "participating in a contractual or other arrangement or relationship that has the effect of subjecting a covered entity's qualified . . . employee[s] with a disability to the discrimination prohibited by the [ADA]." 42 U.S.C. § 12112(b)(2).

58. Defendants have discriminated against Plaintiff because of her disabilities, and continue to discriminate against Plaintiff because of her disabilities, by "utilizing standards, criteria, or methods of administration that have the effect of discrimination on the basis of disability; or that perpetuate the discrimination of others who are subject to common administrative control." 42 U.S.C. § 12112(b)(3)(A)-(B).

1 59. Defendants have discriminated against Plaintiff because of her disabilities, and
 2 continue to discriminate against Plaintiff because of her disabilities, by “not making reasonable
 3 accommodations to the known physical . . . limitations of an otherwise qualified individual with
 4 a disability who is an . . . employee . . .” 42 U.S.C. § 12112(5)(A).

5 60. Defendants have discriminated against Plaintiff because of her disabilities, and
 6 continue to discriminate against Plaintiff because of her disabilities, by “denying employment
 7 opportunities to . . . employee[s] who [are] otherwise qualified individual[s] with a disability . . .
 8 because. . . denial is based on the need of such covered entity to make reasonable
 9 accommodation to the physical . . . impairments of the employee.” 42 U.S.C. § 12112(5)(B).

10 61. Defendants have discriminated against Plaintiff because of her disabilities, and
 11 continue to discriminate against Plaintiff because of her disabilities, by “using qualification
 12 standards, employment tests, or other selection criteria that screen out or tend to screen out an
 13 individual with a disability or a class of individuals with a disabilities . . .” 42 U.S.C. §
 14 12112(6).

15 62. Defendants’ conduct is a violation of Title I of the ADA and on account thereof,
 16 Plaintiff is entitled to recover the expenses of this litigation, including, but not limited to,
 17 reasonable attorneys’ fees and costs for which Defendants are liable to Plaintiffs. 42 U.S.C. §
 18 12117(a).

19 63. WHEREFORE, Plaintiff prays for judgment as set forth below.

20 **THIRD CAUSE OF ACTION FOR VIOLATION OF**
 21 **THE REHABILITATION ACT OF 1973, 29 U.S.C. 794 ET SEQ.**
 22 **BY THE PLAINTIFF AGAINST ALL DEFENDANTS**

23 64. Plaintiff hereby incorporates by reference each of the preceding allegations as if
 24 fully set forth herein.

25 65. The Rehabilitation Act requires that “[N]o otherwise qualified individual with a
 26 disability in the United States . . . shall, solely by reason of her or his disability, be excluded
 27 from the participation in, be denied the benefits of, or be subjected to discrimination under any
 28 program or activity receiving Federal financial assistance. . .” . 29 U.S.C. §794(a).

1 retaliated against plaintiff for making these complaints.

2 74. Defendants' treatment of plaintiff was in violation of Government Code Section
3 12940(f). Within the time provided by law, plaintiff filed a complaint with the California
4 Department of Fair Employment and Housing and received a right-to-sue letter.

5 75. As a proximate result of defendants' conduct, plaintiff has sustained and continues
6 to sustain substantial losses in earnings and other employment benefits and continues to suffer
7 humiliation, emotional distress, and mental and physical pain and anguish, all to her damage in a
8 sum according to proof.

9 76. Defendants' conduct as described above was willful, despicable, knowing, and
10 intentional; accordingly, plaintiff seeks an award of punitive and exemplary damages in an
11 amount according to proof.

12 77. Plaintiff has incurred and continues to incur legal expenses and attorney fees.
13 Plaintiff is presently unaware of the precise amount of these expenses and fees and prays leave
14 of court to amend the complaint when the amounts are more fully known.

15 WHEREFORE, Plaintiff prays for relief as set forth below.

16 **SIXTH CAUSE OF ACTION FOR SEX DISCRIMINATION BY PLAINTIFF AGAINST**

17 **ALL DEFENDANTS**

18 78. Plaintiff hereby incorporates by reference each of the preceding allegations as if
19 fully set forth herein.

20 79. At all times herein mentioned, Government Code Sections 12940 et seq. were in
21 full force and effect and were binding on defendants. These sections require defendants to
22 refrain from discriminating against any employee on the basis of sex, among other things.
23 Within the time provided by law, plaintiff filed a complaint with the California Department of
24 Fair Employment and Housing, in full compliance with these sections, and received a right-to-
25 sue letter.

26 80. During the course of plaintiff's employment, defendants made numerous
27 discriminatory remarks on the basis of plaintiff's sex, and after a significant period of wholly
28 satisfactory, competent, and diligent performance to the profit of the defendants, plaintiff was

1 notified by defendants that her request for promotion and/or transfer was being denied because of
 2 performance problems. Defendants' claim that plaintiff was being denied a promotion and/or
 3 transfer because of performance problems, however, was a pretext designed to conceal
 4 defendants' practice of discriminating against plaintiff on the basis of her gender.

5 81. Plaintiff believes and thereon alleges that her sex was a factor in defendants'
 6 refusal to promote her and/or transfer her, their refusal to give her a salary increase and bonuses
 7 that she was promised. Such discrimination is in violation of Government Code Section 12940
 8 et seq. and has resulted in damage and injury to plaintiff as alleged herein.

9 82. As a proximate result of defendants' willful, knowing, and intentional
 10 discrimination against plaintiff, she has sustained and continues to sustain substantial losses in
 11 earnings and other employment benefits.

12 83. As a proximate result of defendants' will, knowing, and intentional discrimination
 13 against plaintiff she has suffered and continues to suffer humiliation, emotional distress, and
 14 mental and physical pain and anguish, all to her damage in a sum according to proof.

15 84. In light of defendants' willful, knowing, and intentional discrimination against
 16 plaintiff, plaintiff seeks an award of punitive and exemplary damages in an amount according to
 17 proof.

18 85. Plaintiff has incurred and continues to incur legal expenses and attorney fees.
 19 Plaintiff is presently unaware of the precise amount of these expenses and fees and prays leave of
 20 court to amend this complaint when the amounts are more fully known.

21 WHEREFORE, Plaintiff prays for relief as set forth below.

22 **SEVENTH CAUSE OF ACTION FOR VIOLATION OF LABOR CODE SECTION**
 23 **1102.1 BY PLAINTIFF AGAINST ALL DEFENDANTS**

24 86. Plaintiff hereby incorporates by reference each of the preceding allegations as if
 25 fully set forth herein.

26 87. Labor Code Section 1102.1 provides, in pertinent part, that discrimination against
 27 an employee on the basis of actual or perceived sexual orientation is prohibited.

28 88. Labor Code Section 1103 makes a violation of Labor Code Section 1102.1 a

1 misdemeanor.

2 89. In discriminating plaintiff, Defendants have violated Labor Code Section 1102.1.

3 WHEREFORE, Plaintiff prays for relief as set forth below.

4 **EIGHTH CAUSE OF ACTION FOR VIOLATION OF GOVERNMENT CODE**

5 **SECTION 12945.2, ET SEQ. BY PLAINTIFF AGAINST ALL DEFENDANTS**

6 90. Plaintiff hereby incorporates by reference each of the preceding allegations as if
7 fully set forth herein.

8 91. At all times herein mentioned, Government Code Sections 12945.2 et seq. were in
9 full force and effect and were binding on defendants. These sections require defendants to
10 refrain from discriminating against any employee for taking family medical leave. Within the
11 time provided by law, plaintiff filed a complaint with the California Department of Fair
12 Employment and Housing, in full compliance with these sections, and received a right-to-
13 sue letter.

14 92. During the course of plaintiff's employment, defendants made numerous
15 discriminatory remarks on the basis of plaintiff having taken or taking family medical leave, and
16 after a significant period of wholly satisfactory, competent, and diligent performance to the profit
17 of the defendants, plaintiff was notified by defendants that her request for promotion and/or
18 transfer was being denied because of performance problems. Defendants' claim that plaintiff
19 was being denied a promotion and/or transfer because of performance problems, however, was a
20 pretext designed to conceal defendants' practice of discriminating against plaintiff on the basis of
21 her having taken family medical leave.

22 93. Plaintiff believes and thereon alleges that her having taken family medical leave
23 was a factor in way plaintiff has been harassed and otherwise unlawfully treated, as well as
24 defendants' refusal to promote her and/or transfer her, their refusal to give her a salary increase
25 and bonuses that she was promised. Such unlawful discrimination is in violation of Government
26 Code Section 12945.2 et seq. and has resulted in damage and injury to plaintiff as alleged
27 herein.

28 94. As a proximate result of defendants' willful, knowing, and intentional

1 discrimination against plaintiff, she has sustained and continues to sustain substantial losses in
2 earnings and other employment benefits.

3 95. As a proximate result of defendants' willful, knowing, and intentional
4 discrimination against plaintiff she has suffered and continues to suffer humiliation, emotional
5 distress, and mental and physical pain and anguish, all to her damage in a sum according to
6 proof.

7 96. In light of defendants' willful, knowing, and intentional discrimination against
8 plaintiff, plaintiff seeks an award of punitive and exemplary damages in an amount according to
9 proof.

10 97. Plaintiff has incurred and continues to incur legal expenses and attorney fees.
11 Plaintiff is presently unaware of the precise amount of these expenses and fees and prays leave of
12 court to amend this complaint when the amounts are more fully known.

13
14 98. WHEREFORE, Plaintiff prays for relief as set forth below.

15 **NINTH CAUSE OF ACTION FOR VIOLATION OF 29 U.S.C. SECTIONS**
16 **2601-2654 ET SEQ BY PLAINTIFF AGAINST ALL DEFENDANTS**

17 99. Plaintiff hereby incorporates by reference each of the preceding allegations as if
18 fully set forth herein.

19 100. At all times herein mentioned, 29 U.S.C. Sections 2601-2654 et seq. were in
20 full force and effect and were binding on defendants. These sections require defendants to
21 refrain from discriminating against any employee for taking family medical leave. Within the
22 time provided by law, plaintiff filed a complaint with the California Department of Fair
23 Employment and Housing and EEOC, in full compliance with these sections, and received right-
24 to-sue letters.

25 101. During the course of plaintiff's employment, defendants made numerous
26 discriminatory remarks on the basis of plaintiff having taken or taking family medical leave, and
27 after a significant period of wholly satisfactory, competent, and diligent performance to the profit
28 of the defendants, plaintiff was notified by defendants that her request for promotion and/or

1 transfer was being denied because of performance problems. Defendants' claim that plaintiff
 2 was being denied a promotion and/or transfer because of performance problems, however, was a
 3 pretext designed to conceal defendants' practice of discriminating against plaintiff on the basis of
 4 her having taken family medical leave.

5 102. Plaintiff believes and thereon alleges that her having taken family medical leave
 6 was a factor in way plaintiff has been harassed and otherwise unlawfully treated, as well as
 7 defendants' refusal to promote her and/or transfer her, their refusal to give her a salary increase
 8 and bonuses that she was promised. Such unlawful discrimination is in violation of 29 U.S.C.
 9 Sections 2601-2654 et seq. and has resulted in damage and injury to plaintiff as alleged herein.

10 103. As a proximate result of defendants' willful, knowing, and intentional
 11 discrimination against plaintiff, she has sustained and continues to sustain substantial losses in
 12 earnings and other employment benefits.

13 104. As a proximate result of defendants' willful, knowing, and intentional
 14 discrimination against plaintiff she has suffered and continues to suffer humiliation, emotional
 15 distress, and mental and physical pain and anguish, all to her damage in a sum according to
 16 proof.

17 105. In light of defendants' willful, knowing, and intentional discrimination against
 18 plaintiff, plaintiff seeks an award of punitive and exemplary damages in an amount according to
 19 proof.

20 106. Plaintiff has incurred and continues to incur legal expenses and attorney fees.
 21 Plaintiff is presently unaware of the precise amount of these expenses and fees and prays leave of
 22 court to amend this complaint when the amounts are more fully known.

23 WHEREFORE, Plaintiff prays for relief as set forth below.

24 **PRAYER FOR RELIEF**

25 Plaintiff prays for judgment as follows, including but not limited to:

26 1. For compensatory damages for losses resulting from humiliation, mental anguish,
 27 and emotional distress in an amount to be proven at the time of trial;

28 2. For losses incurred in earnings, wages, salary, loss of earnings capacity, deferred

1 compensation and other employee benefits at the prevailing legal rate;

2 3. For interest on the amount of losses incurred in earnings, loss of earnings capacity,
3 deferred compensation and other employee benefits at the prevailing legal rate;

4 4. For punitive damages;

5 5. For damages and interest as liquidated damages;

6 6. For an order finding and declaring that Defendants' acts and practices as alleged
7 herein violate the Fair Employment and Housing Act;

8 7. For an order finding and declaring that Defendants' acts and practices as alleged
9 herein violate the Americans with Disabilities Act;

10 8. For an order finding and declaring that Defendants' acts and practices as alleged
11 herein violate the Rehabilitation Act;

12 9. For injunctive relief prohibiting Defendants and all those acting in concert with
13 Defendants, from continuing to violate the Fair Employment and Housing Act, the Americans
14 with Disabilities Act, and Rehabilitation Act through the policies and practices alleged herein.

15 10. For an award of attorneys' fees as provided by Cal. Gov't Code § 12965(b);
16 California Code of Civil Procedure §1021.5, 42 U.S.C. § 12117, and/or other applicable law;

17 11. For costs and expenses of suit incurred herein;

18 12. For such other and further relief as the Court may deem just and proper.

19
20 Respectfully Submitted,

ATTORNEYS FOR PLAINTIFF

21
22 Dated: 10/23/13

Marc A. Goldbach

GOLDBACH LAW GROUP
MARC AARON GOLDBACH



STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY

GOVERNOR EDMUND G. BROWN JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

March 27, 2013

Sonya Paskil
915 Wilshire Blvd., Suite 1950
Los Angeles, CA 90017

RE: 102717-45813 - Bryant Rose - Right To Sue

NOTICE TO COMPLAINANT'S ATTORNEY

Attached is a copy of your client's complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900, et seq. Also attached is a copy of your client's Notice of Case Closure, which constitutes your client's right-to-sue notice. Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer.

Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California.

Sincerely,

Department of Fair Employment and Housing



CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING
EMPLOYMENT

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH INQUIRY NUMBER:

102717-45813

COMPLAINANT NAME:

Rose Bryant

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

RESPONDENT NAME:

RESPONDENT ADDRESS:

TELEPHONE NUMBER:

The MITRE Corporation, C T
CORPORATION SYSTEM

7515 COLSHIRE DRIVE

McLean, Virginia, 22102

AGENT FOR SERVICE:

AGENT FOR SERVICE ADDRESS:

CITY/STATE/ZIP:

NO. OF EMPLOYEES/MEMBERS:
1000

DATE MOST RECENT DISCRIMINATION TOOK PLACE:
Mar 27, 2013

TYPE OF EMPLOYER:
Private Employer

CO-RESPONDENT(S):

NAME

ADDRESS

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right to sue. I understand that if I want a federal right to sue notice, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure and Right to Sue," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complainant Elected Court Action."

By submitting this complaint, I am declaring under penalty of perjury under the laws of the State of California that, to the best of my knowledge, all information contained in this complaint is true and correct, except matters stated on my information and belief, and I declare that those matters I believe to be true.

DATED March 27, 2013 At Redondo Beach VERIFIED BY: Sonya Paskil, "attorney for complainant"

DFEH-300-030 (07/12)
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DATE FILED: Mar 27, 2013
MODIFIED: Mar 27, 2013

STATE OF CALIFORNIA

Page 1/2



STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY

GOVERNOR EDMUND G. BROWN JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

Mar 27, 2013
Rose Bryant
2402 Clark Lane, Unit A
Redondo Beach, CA 90278

RE: 102717-45813 - Bryant Rose - Right To Sue

Notice of Case Closure and Right to Sue

Dear Rose Bryant:

This letter informs you that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective Mar 27, 2013 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Department of Fair Employment and Housing

cc: C T CORPORATION SYSTEM , Agent for Service for The MITRE Corporation



STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY

GOVERNOR EDMUND G. BROWN JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

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www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

March 27, 2013

RE: 102717-45813 - Bryant Rose - Right To Sue

Notice of Filing of Discrimination Complaint

Enclosed is a copy of a complaint that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. Complainant has requested an authorization to file a lawsuit. This complaint is not being investigated and is being closed immediately. A copy of the closing letter and right to sue is enclosed for your records.

NO RESPONSE TO DFEH IS REQUESTED OR REQUIRED.

Please see the next page for the Respondent(s) name and address

Page 1/2



STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY

GOVERNOR EDMUND G. BROWN JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

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(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

March 27, 2013

RE: 102717-45813 - Bryant Rose - Right To Sue

Notice of Filing of Discrimination Complaint

Agent for Service for The MITRE Corporation
7515 COLSHIRE DRIVE
McLean Virginia 22102

Page 2/2

TO (Insert name of party being served): The Mitre Corporation

NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: October 24, 2013

Marc Aaron Goldbach

(TYPE OR PRINT NAME)

Max A. Holdbach

(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

ACKNOWLEDGMENT OF RECEIPT

This acknowledges receipt of (to be completed by sender before mailing):

1. ☒ A copy of the summons and of the complaint.
2. ☒ Other (specify):

(To be completed by recipient):

Date this form is signed: November 13, 2013

Steven L. Friedlander

Attorney for The MITRE Corp.

(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)

Geo. L. Baker

(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

PROOF OF SERVICE

I am a citizen of the United States and a resident of the State of California. I am employed in San Mateo County, State of California, in the office of a member of the bar of this Court, and at whose direction this service is made. I am over the age of 18 years and not a party to the within action. My business address is SV Employment Law Firm PC, Borel Financial Center, 160 Bovet Road, Suite 401, San Mateo, California 94402. On November 13, 2013, I served the following document on the parties listed below in the manner indicated:

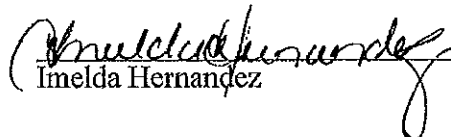
Acknowledgement of Receipt

<input checked="" type="checkbox"/>	BY U.S. MAIL – CCP §1013a(1): I am personally familiar with the normal business practice of my employer for the collection and processing of correspondence and other materials for mailing with the United States Post Service. In the ordinary course of business, any materials designated for mailing with the United States Postal Service and placed by me for collection in the office of my employer is deposited the same day with the United States Postal Service. I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at San Mateo, California.
<input type="checkbox"/>	BY FACSIMILE – CCP §1013(e): I am personally familiar with the business practice of my employer for collection and processing of documents to be transmitted by facsimile and I caused such document(s) to be transmitted by facsimile to the offices of the addresses listed below. No error report was generated after transmission.
<input type="checkbox"/>	BY OVERNIGHT MAIL - CCP §1013(c): I am personally familiar with the business practice of my employer for collection and processing of correspondence and other documents for overnight delivery. I caused such document described herein to be deposited for delivery to a facility regularly maintained by FedEx for overnight delivery.
<input type="checkbox"/>	BY ELECTRONIC MAIL – CCP §1010.6(a)(6): Based on a court order or agreement among the parties to accept service by email or electronic transmission, I caused such document described herein to be sent to the person at the email address listed below. I did not receive, within a reasonable time after transmission, any electronic message or other indication that the transmission was unsuccessful.

on the following parties:

Marc Aaron Goldbach Goldbach Law Group 6528 Greenleaf Avenue, Suite 210 Whittier, CA 90601 Phone: 562.696.0582 Fax: 888.771.5425 Email: marc.goldbach@glodbachlaw.com	Attorney for Plaintiff, Rosemarie Bryant
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I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on November 13, 2013, at San Mateo, California.


 Imelda Hernandez

NOTICE & FTO:

Goldbach Law Group
6528 Greenleaf Avenue, Suite 210
Whitier CA 90601

RECEIVED

NOV 12 2013

CONFORMED COPY

ORIGINAL FILED
Los Angeles Superior Court

NOV 04 2013

SV EMPLOYMENT LAW FIRM

John A. Clarke, Executive Officer/Clerk

By E. Avena, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

ROSEMARIE BRYANT

Plaintiff(s),

VS.

THE MITRE CORPORATION

Defendant(s).

CASE NUMBER

BC524951

NOTICE OF CASE
MANAGEMENT CONFERENCE

TO THE PLAINTIFF(S)/ATTORNEY(S) FOR PLAINTIFF(S) OF RECORD:

You are ordered to serve this notice of hearing on all parties/attorneys of record forthwith, and meet and confer with all parties/attorneys of record about the matters to be discussed no later than 30 days before the Case Management Conference.

Your Case Management Conference has been scheduled for February 26, 2014 at 8:30 am in Dept. 50
at 111 North Hill Street, Los Angeles, California 90012.

NOTICE TO DEFENDANT: THE SETTING OF THE CASE MANAGEMENT CONFERENCE DOES NOT EXEMPT THE DEFENDANT FROM FILING A RESPONSIVE PLEADING AS REQUIRED BY LAW.

Pursuant to California Rules of Court, rules 3.720-3.730, a completed Case Management Statement (Judicial Council form # CM-110) must be filed at least **15 calendar days** prior to the Case Management Conference. The Case Management Statement may be filed jointly by all parties/attorneys of record or individually by each party/attorney of record. You must be familiar with the case and be fully prepared to participate effectively in the Case Management Conference.

At the Case Management Conference, the Court may make pretrial orders including the following, but not limited to, an order establishing a discovery schedule; an order referring the case to Alternative Dispute Resolution (ADR); an order reclassifying the case; an order setting subsequent conference and the trial date; or other orders to achieve the goals of the Trial Court Delay Reduction Act (Gov. Code, section 68600 et seq.)

Notice is hereby given that if you do not file the Case Management Statement or appear and effectively participate at the Case Management Conference, the Court may impose sanctions pursuant to LASC Local Rule 7.13, Code of Civil Procedure sections 177.5, 575.2, 583.150, 583.360 and 583.410, Government Code Section 68608 (b), and California Rules of Court 2.2 et seq.

Date: November 4, 2013**JOHN L. SEGAL**

Judicial Officer

CERTIFICATE OF SERVICE

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Case Management Conference upon each party or counsel named above:

☒ by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed herein in a separate sealed envelope to each address as shown above with postage thereon fully prepaid.

☐ by personally giving the party notice upon filing the complaint.

Date: November 4, 2013

Sherri R. Carter, Executive Officer/Clerk

by E. Avena, Deputy Clerk

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

NOV 04 2013

John A. Clarke, Executive Officer/Clerk

By E. Avena, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

ROSEMARIE BRYAN

PLAINTIFF(S)

VS

THE MITRE CORPORATION

DEFENDANT(S)

CASE NUMBER

BC524951

**ORDER TO SHOW CAUSE FOR FAILURE
TO FILE PROOF OF SERVICE**

ORDER TO SHOW CAUSE

Pursuant to Rules 3.110(b), 3.110(f), and 3.110(i) of the California Rules of Court, the case is set for an order to show cause why monetary sanctions should not be imposed or the case dismissed for failure to file proofs of service for all defendants. The hearing on the order to show cause will be February 26, 2014, 8:30 A.M., Department 50, Stanley Mosk Courthouse, 111 N. Hill Street L.A. CA, 90012.

Counsel for plaintiff or plaintiff in pro per is ordered to give notice of this order, the hearing on the order to show cause pursuant to Rule 3.110, and the initial case management conference stamped on the face of the complaint.

JOHN L. SEGAL

Dated November 4, 2014

JUDGE OF THE SUPERIOR COURT

CERTIFICATE OF MAILING

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the OSC RE Failure to File proof of Service upon each party or counsel named below by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope for each address as shown below with the postage thereon fully prepaid.

Dated November 4, 2014

John A. Clarke, EXECUTIVE OFFICER

By E. Avena, Deputy Clerk

**ORDER TO SHOW CAUSE FOR
FAILURE TO FILE PROOF OF SERVICE**

Exhibit A, Page 41

CERTIFICATE OF MAILING

L.A. Superior Court Central

Civil Division

ROSEMARIE BRYANT					
VS.					
		BC524951			
THE MITRE CORPORATION					

Goldbach Law Group
Attorney for Plaintiff/Petitioner
6528 Greenleaf Avenue, Suite 210
Whittier CA 90601

Exhibit B

STEVEN L. FRIEDLANDER (SBN 154146)
ERIC G. RUEHE (SBN 284568)
SV EMPLOYMENT LAW FIRM PC
160 Bovet Road, Suite 401
San Mateo, CA 94402
Telephone: (650) 265-0222
Facsimile: (650) 265-0223
Email: sfriedlander@svelf.com
eruehe@svelf.com

Attorneys for Defendant
THE MITRE CORPORATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT
UNLIMITED JURISDICTION

ROSEMARIE BRYANT,

Plaintiff,

vs.

THE MITRE CORPORATION and DOES 1
through 50, inclusive,
Defendants.

Case No. BC524951

**DEFENDANT THE MITRE
CORPORATION'S NOTICE OF REMOVAL**

Complaint Filed: October 23, 2013

TO THE CLERK OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF
LOS ANGELES:

PLEASE TAKE NOTICE that on December 3, 2013, Defendant THE MITRE CORPORATION,
filed a Notice of Removal of this action in the United States District Court for the Central District of
California. A true and correct copy of said Notice of Removal (without exhibits) is attached hereto as
Exhibit A and is served and filed herewith.

PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. §1446, the filing of said Notice
affects the removal of this action to the federal court, and this Court is directed to "proceed no further
unless and until the case is remanded." 28 U.S.C. §1446(d).

Exhibit B, Page 43

1 affects the removal of this action to the federal court, and this Court is directed to "proceed no further
2 unless and until the case is remanded." 28 U.S.C. §1446(d).

3
4 Dated: December 3, 2013

Respectfully Submitted,

SV EMPLOYMENT LAW FIRM PC

6
7
8 By: 

Steven L. Friedlander

9 Attorneys for Defendant
10 THE MITRE CORPORATION
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